

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:11CR170
vs.)
MOHAMUD ALI JAMA,)
Defendant.)

UNITED STATES OF AMERICA,)
Plaintiff,) 8:11CR171
vs.)
ABDIAZIZ YOSUF MOHAMED,)
Defendant.)

UNITED STATES OF AMERICA,)
Plaintiff,) 8:11CR172
vs.)
DAHIR SAHAL,)
Defendant.)

This matter is before the court on the oral motion of each of the above-named defendants. The motion was made during a hearing on June 13, 2011, on motions of Brent W. Nicholls to withdraw as counsel for each of the defendants. At the hearing, David L. Herzog entered an appearance for each of the named defendants. The government had no objection to the motions. Each of the defendants was present and acknowledged the additional time needed for their motion would be excluded under the calculations under the

Speedy Trial Act. The oral motion was granted as to each defendant. Previously, Mr. Nicholls had requested additional time to file pretrial motions (Filing No. 15 in 8:11CR170, Filing No. 15 in 8:11CR171, and Filing No. 20 in 8:11CR172). Each of those motions will be denied as moot.

IT IS ORDERED:

1. Each of the defendants' motions for an extension of time to file pretrial motions, Filing No. 15 in 8:11CR170, Filing No. 15 in 8:11CR171, and Filing No. 20 in 8:11CR172, is denied as moot.

2. Each of the defendants' oral motions for an extension of time to file pretrial motions is granted, and they shall have **to on or before July 22, 2011**, in which to file pretrial motions in accordance with the progression order.

3. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motion, **from June 13, 2011 through July 22, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 13th day of June, 2011.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge